

ARTEL ENGINEERING GROUP, LLC

CIVIL, ENVIRONMENTAL AND MUNICIPAL ENGINEERS • PROJECT MANAGERS • SITE PLANNERS • PERMIT EXPEDITORS
304 FEDERAL ROAD, SUITE 308, BROOKFIELD, CONNECTICUT 06804 – PHONE: 203-740-2033 • FAX: 203-740-2067

April 6, 2021

Michael Klemens, Chairman
Planning and Zoning Commission
Town of Salisbury
27 Main Street
Salisbury, Connecticut 06068

Re: Holley Place
11 Holley Street

Dear Chairman Klemens and Members of the Commission,

Please accept the follow as a supplement to our March 16, 2021 letter. The Holley Place application is for a multi-story, multi-family development that is seeking approval from the Commission via the Special Permit Application process. Per the Town of Salisbury Zoning Regulations the proposed development requires Special Permit review/consideration/approval for multi-family use located within the CG-20 and PKSQ zoning district and overlay district, for the proposed excavation in excess of 250-cy as well as for impervious coverage of greater than 30% and landscape areas less than 30% when located within the Aquifer Protection Overlay District.

The application and documents submitted by the applicant are incomplete based on the Town of Salisbury Zoning Regulation standards for both, Site Plan review and Special Permit review. Specifically:

- The plans were not prepared by a professional engineer;
- A storm water analysis has not been prepared;
- A storm water management plan has not been prepared;
- A storm water quality analysis has not been prepared;
- A cut/fill analysis by a registered land surveyor has not been prepared;
- An excavation plan has not been prepared;
- A thorough soil erosion and sediment control plan has not been prepared.

In addition to missing information and certification, the proposed plans are not in compliance with:

- Front yard setback requirement for Holley Street frontage;
- Maximum driveway slopes;
- Vehicular access does not safeguard against hazards.

The Planning and Zoning Commission has great authority and tremendous responsibility. Regardless the application, large or small, and regardless the applicant, loved or loathed, it is the responsibility of the Commission to thoroughly review an application for completeness and compliance to and with the Zoning Regulations. The following is an excerpt from our review process.

Holley Place General Review Guide

The following is intended to be used as a general guide for review of the proposed Holley Place development. Though the items noted do not include all elements reviewed, it is a start and meant to assist with determination of compliance with the Salisbury Zoning Regulations. Excerpts of the regulations are generally in black colored lettering and commentary is in red. Please note, in some instances we have emphasized portions of the regulations by utilizing *italics* and underlines.

ARTICLE I - INTRODUCTION

100 Authority and Purposes

100.1 Authority These Zoning Regulations are adopted under the authority granted by Chapter 124 of the Connecticut General Statutes, as amended.

100.2 Purposes As provided in Section 8-2 of the Connecticut General Statutes, these Zoning Regulations are adopted to help accomplish the following purposes:

- a. Promoting and protecting the public health, safety, convenience, and general welfare of the community; **The plan is not compliant with respect to safety due to building overhang over access drive.**
- b. Conserving and protecting natural resources, such as ridgelines, farmland, wetlands, watercourses, and other sensitive natural resources and areas; **The application does not address the Aquifer.**

c. Protecting water quality, especially groundwater and existing and potential drinking water supplies; **The applicant has not provided a storm water management plan...no water quality plan.**

d. Conserving the value of buildings and property and encouraging the most appropriate use of land throughout the town; **The proposed development will devalue adjoining properties including multiple businesses and apartments by elimination of public parking... the cost borne by many for the benefit of one developer.**

100.3 Implementation In order to accomplish the above stated purposes, these Zoning Regulations shall:

b. Regulate the density of population, the location, the use of buildings, structures, land for businesses, industries, residences and other purposes; **Though the PKSQ regulation contemplates 16-units per acre, the proposed density of the development is much greater. As proposed, the proposed density of the development is greater than 38-units per acre...more than double than contemplated by the Zoning Regulation!**

102.4 Conformity Provisions

a. No building, structure or land shall be used except in conformity with these Regulations for the zone and overlay district in which the land, building, or structure is located.

b. No building or other structure or part thereof shall be erected, moved, reconstructed, extended, enlarged, or altered except in conformity with these Regulations for the zone and overlay district in which the building or structure is located. **The proposed building's Holley Street front yard setback is not in conformity with the Zoning Regulations. Though the PKSQ district permits an applicant to 'relax' the front yard, the Zoning Regulations are specific in that the 'relaxation' is for the purpose of forming (continuing) a STREET WALL. Placement of the new building as proposed will not form or continue an existing STREET WALL...in fact, it appears that the majority of the building on the adjoining Holley Street frontage is setback from the front line by approximately 30-feet.**

222 Commercial and Industrial Zones - Purposes

222.1 Village Center Commercial Zones (C-20, CG-20) *The primary purpose of these zones is to provide centralized, compact areas for local and area retail, office, business and specialized uses and services, **accessory residential**, and associated parking, pedestrian circulation and landscaping. **The requirements for these districts are aimed at maintaining the historic rural New England character** of the Salisbury and Lakeville village centers. **Residential uses are intended to be supportive of the commercial uses** and, where feasible, should be located above the first floor when located in a prime retail or restaurant corridor.*

403 Aquifer Protection Overlay District

403.4 Uses Requiring a Special Permit

- a. *Excavation, filling or removal of earth materials*, except as permitted by a building permit. **The proposed development will remove fill quantities greater than permitted by a building permit.**
- b. Above ground storage of hazardous materials, other than fuel storage for residential heating.
- c. *Any use rendering more than thirty percent (30%) of the total lot area in impervious surfaces*. **The proposed development will exceed 30% impervious cover.**
- d. *Any use retaining less than thirty percent (30%) of the total lot areas in vegetative ground cover*. **The proposed development will provide less than 30% vegetative ground cover.**

405 Multi-Family Housing and Pocketknife Square Overlay Districts

405.1 Statement of Purpose The Town of Salisbury finds that multi-family housing for long-term residential use is a community need. The Multi-Family Housing and Pocketknife Square Overlay Districts promote a diversity of housing stock to meet the changing housing needs of all residents. These overlay districts facilitate the development of a variety of housing choices that would appeal to seniors, families, and those employed in the community. The Multi-Family Housing and Pocketknife Square Overlay Districts provide flexibility within the context of the Town's zoning ordinance to encourage the development of multi-family housing to meet these community needs. The Multi-Family Housing Overlay District is mapped within the existing village centers and to undeveloped or underdeveloped parcels with access to public sewer adjacent to the village centers. Upon a petition to the Planning and Zoning Commission to amend the zoning map in accordance with Section 911 of the Zoning Regulations of the Town of Salisbury, the Multi-Family Housing Overlay District may be extended for the purpose of constructing multi-family housing outside the village center. ***The Pocketknife Square Overlay District*** is mapped to the parcels within the immediate vicinity of Pocketknife Square, and ***promotes the adaptive re-use of existing structures*** and contextual redevelopment.

405.2 Definitions

STREET WALL. A street wall is a line of building facades that maintain a consistent front yard setback and minimal side yard setbacks thus forming a "wall." **The proposed front yard setback on Holley Street does not "form a wall". The majority of the existing building that is located on the adjoining property appears to be located at a distance of approximately 30-feet from the front property line.**

405.6 Design Requirements Applicable to Multi-Family Development within the Multi-Family Housing and Pocketknife Square Overlay Districts

a. Dimensional Requirements. Except as specified herein, the minimum yard setbacks, maximum building coverage, and maximum building height of the underlying zoning district shall apply to new construction multi-family housing developments within the MFH and PKSQ overlay districts.

1. The maximum building height shall be 40 feet if necessary to accommodate a third floor plus a gabled, hipped, or pitched roof consistent with community character. **The applicant has proposed a building with a mansard roof which is neither a gabled, hipped or pitched roof. This might not be consistent with the community character.**

2. The front yard setback shall conform to the underlying zoning district, or shall match the existing front yard setback of one or more buildings on abutting properties to maintain the existing street wall. The purpose of this provision is to maintain a predictability of design within the Village centers. **The proposed plan does not comply. There is no existing street wall on Holley Street nor will the proposed development create or form a street wall with abutting properties.**

602 Storm Water Management Plan Requirements

602.1 General For any Site Plan application requiring a Storm Water Management Plan such plan shall meet the requirements of this section. A **Storm Water Management Plan shall also be required in the C-20, CG-20, LI-1 or LI-20 zones for any Site Plan where the total impervious surface on the lot is greater than 20%** or where the proposed Site Plan involves the disturbance of more than one half acre of land. All such plans may be subject to review by an engineer designated by the Commission. **A Storm Water Management Plan has not been prepared and/or submitted as required.**

602.2 Standards and Requirements

a. The proposed storm water management system and plan shall be designed to meet the following standards and requirements:

- **Prevent flooding** on or off the property.
- **Minimize pollutant loads** in storm water runoff into inland wetlands, surface and subsurface water. **A plan to minimize storm water pollutant loading has not been prepared.**
- **Maintain the hydrology of existing sub-watersheds** including wetlands and watercourses.
- **Prohibit direct channeling** (via pipe or paved culvert or the like) **of untreated surface water runoff into adjacent ground or surface water.**

b. **On-site storage of storm water shall be employed** to the maximum extent feasible. On-site storage methods include, but are not limited to, bio-filters, landscaped depressions, grass swales, infiltration trenches and retention or detention basins. **A storm water management plan has not been prepared.**

c. **Pollutants shall be controlled at their source** to the maximum extent feasible using best available control measures and technology to contain the contamination. Measures include, but are not limited to, sweeping of streets and parking lots, especially in the early spring, the use of oil traps and sediment basins prior to infiltration, the use of pervious surfaces and the encouragement of sheet flow to filter strips. **A plan to minimize storm water pollutant loading has not been prepared.**

d. The maintenance of a private storm water system is the responsibility of the property owner. The Commission may require that a maintenance program be developed and submitted as part of the plan. The Commission may require a bond be posted and/or that periodic reports be filed with the Town to ensure that the required maintenance has been performed

e. Storm water runoff control structures located on private property shall be accessible at all times for Town inspection.

700.5 Standards for Access and Circulation in Rural Enterprise, Commercial and Industrial Zones

The use of land, buildings and other structures subject to the requirement for a Site Plan in Rural Enterprise, Commercial and Industrial zones that involve the construction, reconstruction, enlargement, moving or structural alteration of buildings or parking areas shall conform to the following standards.

a. **Vehicular access to a lot and circulation on a lot shall** be designed in a manner that safeguards against hazards to traffic and pedestrians in the street and upon the lot; avoids traffic congestion on any street, and provides safe and convenient circulation on the lot. **As designed, the vehicular ingress lane from Holley Street is 'overhung' by the proposed building. The proposed vertical clearance (from ground surface to the underside of the structure) appears to vary from approximately 9-feet at the southeast corner of the building to approximately 7.5-feet at the southwestern corner. These minimal clearances pose a hazard to delivery, utility and emergency response vehicles. Typical box type delivery trucks are approximately 10'-6" in height.**

703.5 General Parking Requirements:

All Uses Other Than Single and Two Family Dwellings The following shall apply to all uses other than single and two family dwellings.

a. Parking areas shall be designed so that vehicles may exit such areas without backing onto a public street.

b. **Parking areas shall be designed so that sanitation, emergency and other public service vehicles can safely access the site. Due to the low vertical clearance proposed on the Holley Street ingress drive, typical delivery trucks, taller sanitation trucks, as well as some**

emergency and public service vehicles must enter the site via the egress lane. SU-30 vehicle turning movement sketches are attached.

800.3 Site Plan Application Requirements

Four (4) copies of a Site Plan shall be submitted. Site Plans shall be accurately drawn to a scale not to exceed 100 feet to the inch on sheets not to exceed 24 x 36 inches. Two (2) copies of preliminary plans shall be submitted for all proposed buildings, structures and signs, including general exterior elevations, perspective drawings, general floor plans and drawings of proposed signs.

The Site Plan shall meet requirements for landscaping, lighting, parking, loading, storm water management and/or erosion and sedimentation control as specified in Article VII and shall include such additional information required by the Commission when necessary to determine conformity with these Regulations. This information may be provided on separate plan sheets at the same scale and sheet size required for a Site Plan, or it may be incorporated onto the Site Plan provided such additional information can be shown clearly.

Site Plans shall be prepared to Class A-2 Survey Standards. Upon the request of an applicant and where the Commission determines an A-2 Survey is not necessary to determine compliance with these Regulations, the Commission may accept a Site Plan and survey with a lesser degree of accuracy.

The design, layout, computations and plans showing existing and proposed drainage patterns, and construction of storm drainage improvements, driveways, access ways, parking areas, loading areas and other site construction improvements shall be prepared by a Connecticut Registered Engineer. The plans have not been prepared by a Connecticut Registered Engineer.

801.5 Storm Water Drainage

Special attention shall be given to proper surface water drainage so that it will not adversely affect neighboring properties or public storm drainage facilities, obstruct the flow of vehicular or pedestrian traffic or create standing water in paved or pedestrian areas. All surface water drained from roofs, streets, parking lots, and other site features shall be disposed of in a safe and efficient manner that will not create problems of water runoff or erosion on the site or on neighboring sites or pollution of surface water or groundwater. Insofar as possible, natural drainage courses and swales shall be properly stabilized and drainage-impounding areas shall be utilized to infiltrate water on the site through natural percolation to a degree equivalent to that existing prior to development. Also, appropriate erosion control measures shall be employed, including slope stabilization measures and the seeding of exposed areas to replace vegetative cover. A storm water management plan has not been submitted with the application.

801.6 Preservation of Water Quality and Quantity The proposed use and the site shall be designed to minimize any risk of surface-water or groundwater pollution, soil erosion and sedimentation, and water diversion. **Water quality has not been addressed.**

We trust that this document provides a clearer understanding of the shortfalls of the Holley Place Special Permit application. Please feel free to contact our office with questions or comments.

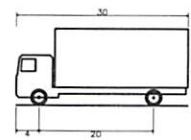
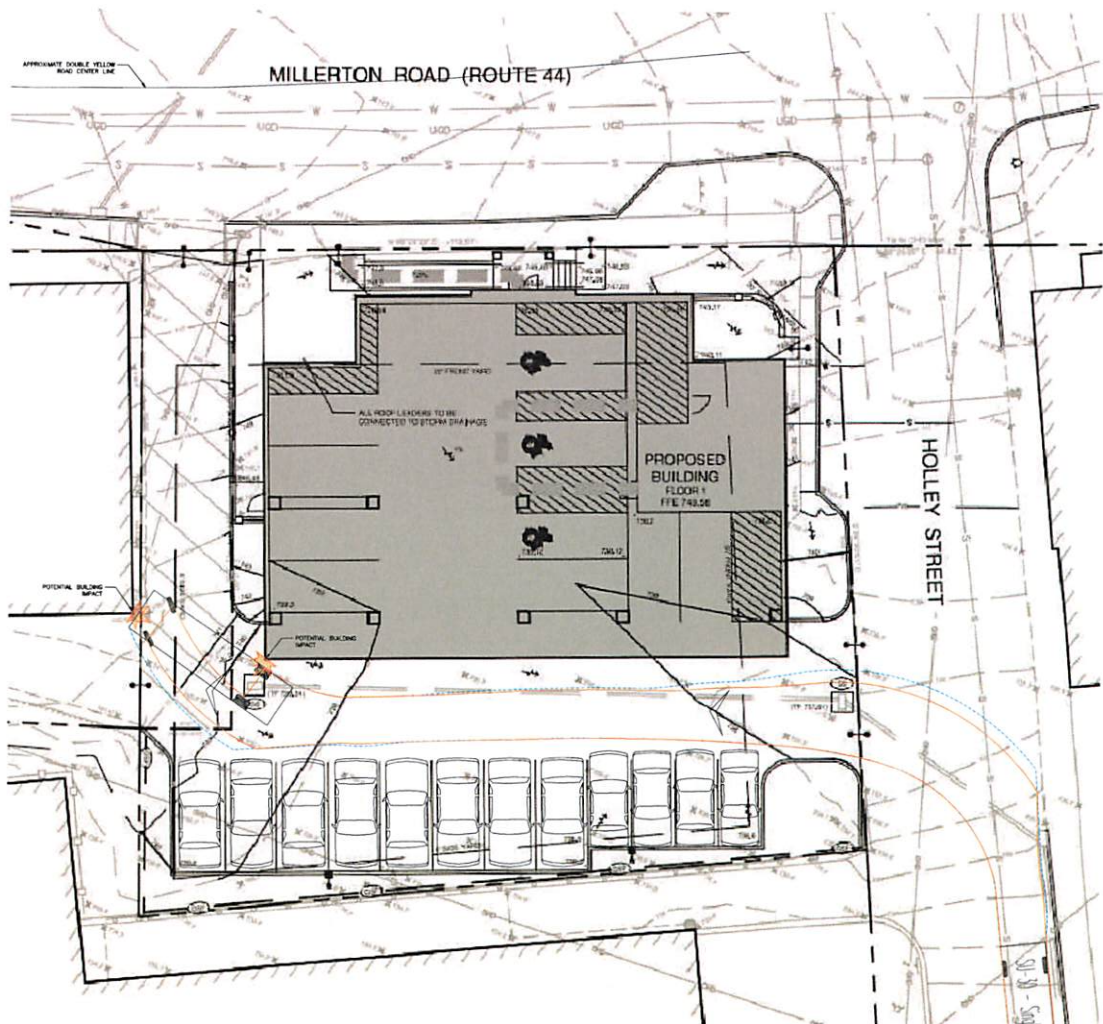
Respectfully Submitted,

ARTEL ENGINEERING GROUP, LLC

Dainius L. Virbickas

Dainius L. Virbickas, PE

Professional Engineering Manager



SU-30 - Single Unit Truck
Overall Length 30.000ft
Overall Width 8.000ft
Overall Body Height 13.500ft

IMPORTANT NOTE:
CONTRACTOR IS TO CONTACT "CALL BEFORE YOU DIG" (1-800-822-4433) TO HAVE ALL EXISTING UTILITIES LOCATED AND MARKED PRIOR TO ANY SIGNIFICANT CONSTRUCTION OR EXCAVATION ON THE SITE.

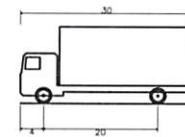
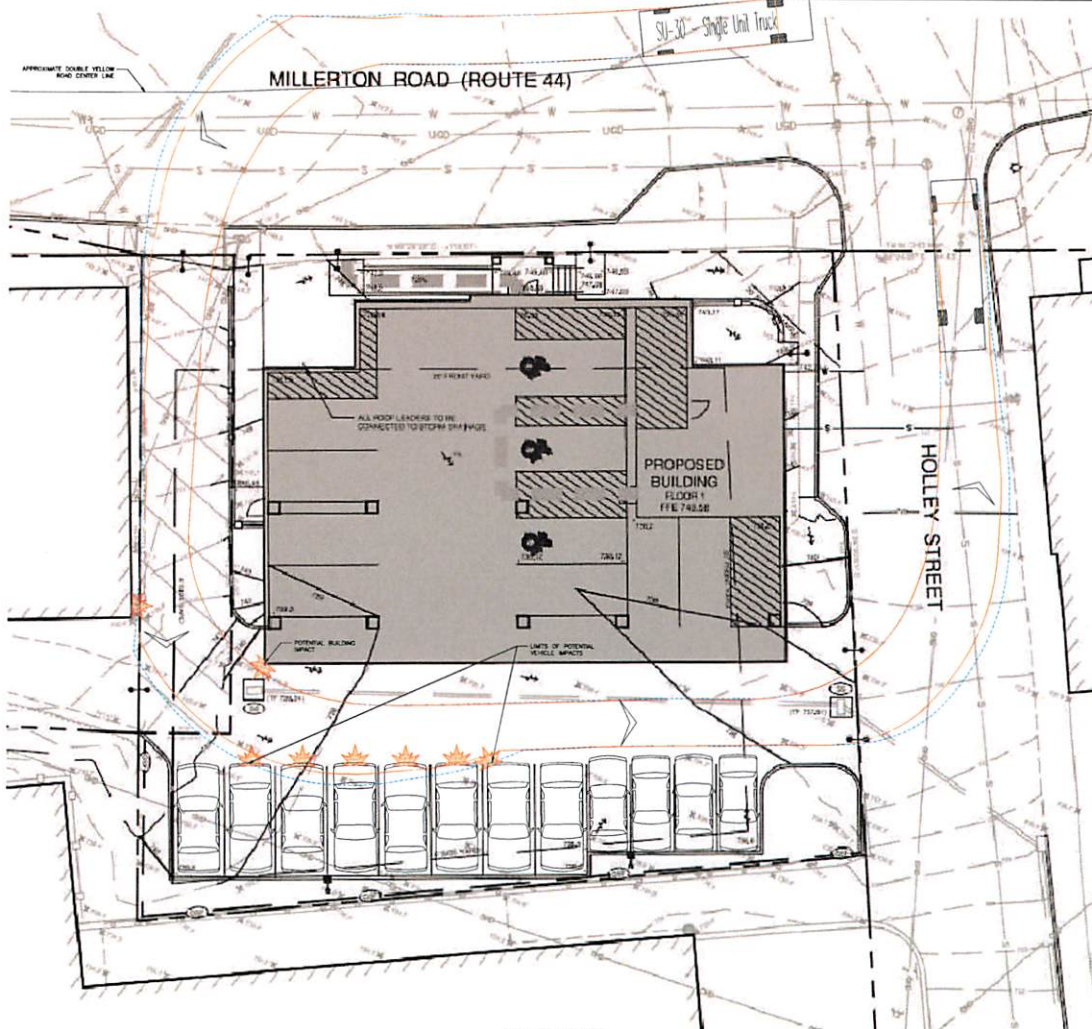
IMPORTANT NOTE:
IT IS UNDERSTOOD THAT "ARTEL ENGINEERING GROUP, LLC" HAS NOT BEEN RETAINED FOR THE REVIEW OF THE IMPLEMENTATION OF THE DESIGN AND CONSTRUCTION OF CONSTRUCTION. THE OWNER SHALL EMPLOY THEIR SEPARATE CONTRACTOR FOR SUCH SERVICE AS REQUIRED.

IMPORTANT NOTE:
IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THIS PROJECT. IMMEDIATELY PRIOR TO THE BEGINNING OF CONSTRUCTION, SHOWN THE CONTRACTOR HAS A CONTACT WITH THE PROJECT MANAGER TO THE SPECIFICATIONS AND APPLICABLE CODES. IN THE EVENT OF ANY DISCREPANCY TO VERIFY THE PROJECT ENGINEER OF RECORD IS WRITING FROM THE START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO VERIFY THE PROJECT ENGINEER'S SIGNATURE AND APPROVAL OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF WORK AS SHOWN AND CODES GOVERNED AND IN FULL COMPLIANCE WITH LOCAL REGULATIONS AND CODES.

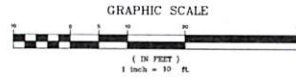
NOTE:
THIS SKETCH IS A PICTORIAL DEPICTION OF THE CHALLENGES THAT AN EMERGENCY VEHICLE (TOW OR SHAWNEE FIRE DEPARTMENT LADDER TRUCK) MAY ENCOUNTER WHICH ATTEMPTING TO ENTER THE PROPOSED HOLLEY STREET NEARLY 50' BEHIND, AND TURN RIGHT ON HOLLEY STREET AND GENERAL CONDITIONS ON SITE AND IN THE SURROUNDING AREA.

LEGEND
— TRUCK PATH
— TRUCK TURNING
★ POTENTIAL IMPACT LOCATION

	ARTEL ENGINEERING GROUP, LLC 304 FEDERAL ROAD - SUITE 308 BROOKFIELD, CONNECTICUT 06804 WWW.ARTELENGINEERING.COM PHONE: (203) 740-2033 FAX: (203) 740-2067	
	• CIVIL ENGINEERS • ENVIRONMENTAL ENGINEERS • MUNICIPAL ENGINEERS	PROJECT MANAGERS • SITE PLANNERS • PERMIT EXPEDITORS •
	HOLLEY STREET NORTH ENTRANCE TRUCK TURNING SKETCH — HOLLEY STREET AND MILLERTON ROAD LAKEVILLE, CONNECTICUT	
DRAWN BY: BH CHECKED BY: DV DATE: 3/17/21 SCALE: 1" = 10' DRAWING NO: PROJECT NO: SHEET: 1		



SU-30 - Single Unit Truck
 Overall Length 30.000ft
 Overall Width 8.000ft
 Overall Body Height 13.500ft



NOTE:
 THIS SKETCH IS A PICTORIAL DEPICTION OF THE CHALLENGES THAT AN EMERGENCY VEHICLE (TOW OR SHAWK FIVE SEPARATED LANE TRUCK) MAY ENCOUNTER WHILE ATTEMPTING TO ENTER THE PROPOSED HOLLEY STREET MAINWAY SITE, REGARDS MAY VARY BASED ON LOCAL, STATE AND GENERAL CONDITIONS OF SITE AND IN THE SURROUNDING AREA.

IMPORTANT NOTE:
 CONTRACTOR IS TO CONTACT "CALL BEFORE YOU DIG" (1-800-822-4433) TO HAVE ALL EXISTING UTILITIES LOCATED AND MARKED PRIOR TO ANY EXCAVATION, CONSTRUCTION OR INSTALLATION OF THE SITE.

IMPORTANT NOTE:
 IT IS UNDERSTOOD THAT "ARTEL ENGINEERING GROUP, LLC" HAS NOT BEEN RETAINED FOR THE REVIEW OF THE IMPLEMENTATION OF THE DESIGN AND CONSTRUCTION OF CONSTRUCTION. THE OWNER SHALL OBTAIN THEIR OWN CONTRACT FOR SUCH SERVICE AS REQUIRED.

IMPORTANT NOTE:
 IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THIS PROJECT PRIOR TO THE START OF CONSTRUCTION. SHOULD THE CONTRACTOR HAVE A CONCERN WITH THE DOCUMENTS RELATIVE TO THE DESIGN OR ANY OTHER CODES, IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE PROJECT ENGINEER OF RECORD BY WRITING PRIOR TO THE START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO NOTIFY THE PROJECT ENGINEER SHALL CONSTITUTE ACCEPTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF WORK AS DETAILED IN THE DRAWINGS AND IN FULL COMPLIANCE WITH LOCAL REGULATIONS AND CODES.

DATE	11/11/21
SCALE	1" = 10'
PROJECT NO.	
SHEET	1

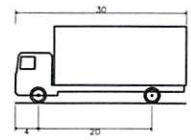
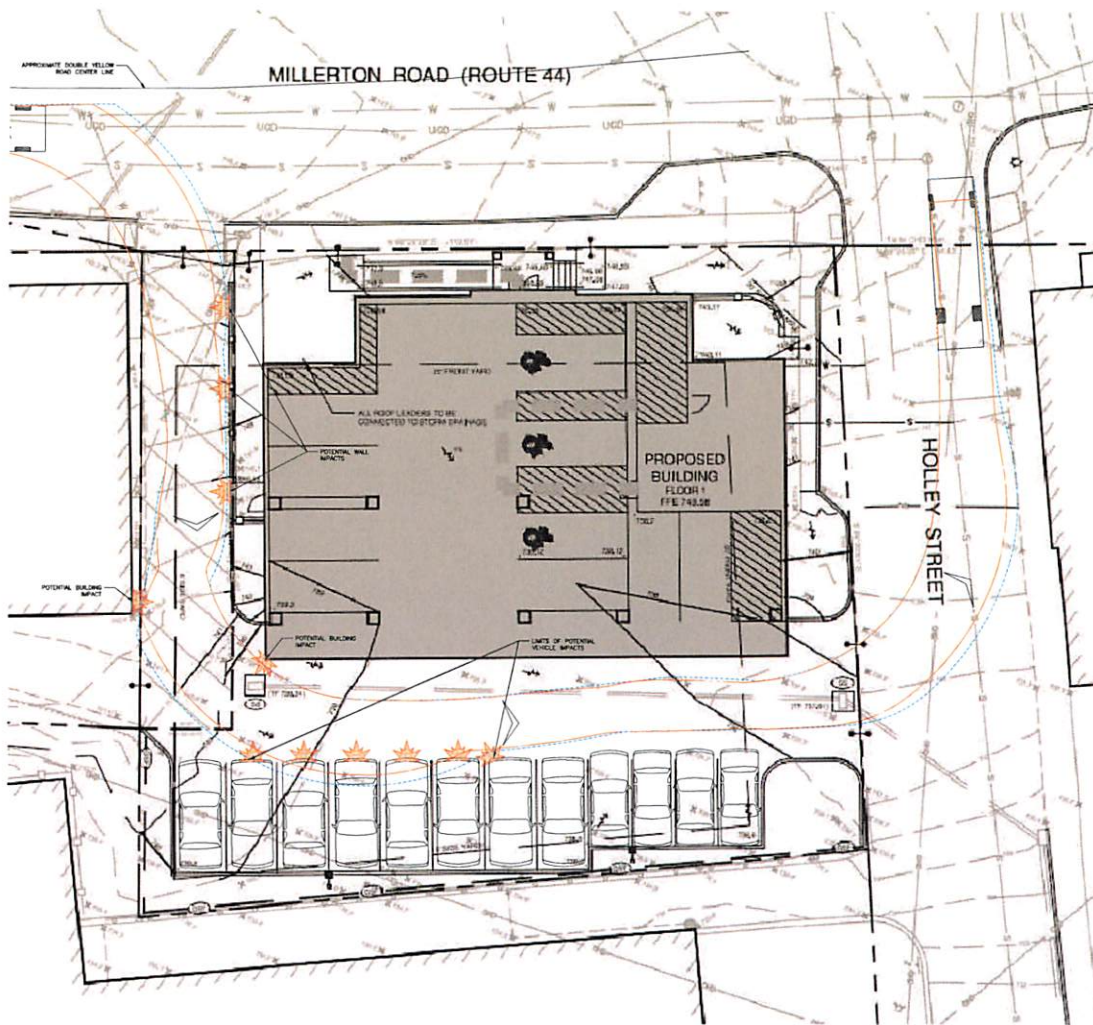
ARTEL ENGINEERING GROUP, LLC
 304 FEDERAL ROAD - SUITE 308
 BROOKFIELD, CONNECTICUT 06804
 WWW.ARTELENGINEERING.COM
 PHONE: (203) 740-2033 FAX: (203) 740-2067

• CIVIL ENGINEERS PROJECT MANAGERS •
 • ENVIRONMENTAL ENGINEERS SITE PLANNERS •
 • MUNICIPAL ENGINEERS PERMIT EXPEDITORS •

HOLLEY STREET NORTH ENTRANCE		DRAWN BY: BH
TRUCK TURNING SKETCH		CHECKED BY: DV
		DATE: 3/17/21
		SCALE: 1" = 10'
HOLLEY STREET AND MILLERTON ROAD LAKEVILLE, CONNECTICUT		PROJECT NO.:
		SHEET 1

LEGEND

- TRUCK PATH
- TRUCK OVERLAP
- ★ POTENTIAL IMPACT LOCATION



SU-30 - Single Unit Truck
 Overall Length 30.000ft
 Overall Width 8.000ft
 Overall Body Height 13.500ft

NOTE:
 THIS SKETCH IS A PICTORIAL DEPICTION OF THE CHALLENGES THAT AN EMERGENCY VEHICLE (TOW OR BREAK AWAY EQUIPMENT LADDER TRUCK) MAY ENCOUNTER WHEN ATTEMPTING TO ENTER THE PROPOSED HOLLEY STREET WALKWAY. SITE DESIGN MAY VARY BASED ON TRUCK SIZE, VEHICLE AND GENERAL CONDITIONS ON SITE AND IN THE SURROUNDING AREA.

IMPORTANT NOTE:
 CONTRACTOR IS TO CONTACT "CALL BEFORE YOU DIG" (1-800-922-4433) TO HAVE ALL EXISTING UTILITIES LOCATED AND MARKED PRIOR TO ANY EXCAVATION, CONSTRUCTION OR EVALUATION ON THE SITE.

IMPORTANT NOTE:
 IT IS UNDERSTOOD THAT "ARTEL ENGINEERING GROUP, LLC" HAS NOT BEEN RETAINED FOR THE REVIEW OF THE WORKMANSHIP OF THE DESIGN AND CONSTRUCTION OF CONSTRUCTION. THE OWNER SHALL EMPLOY SEVERAL SEPARATE CONTRACTS FOR SUCH SERVICE AS REQUIRED.

IMPORTANT NOTE:
 IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THIS PROJECT. WORKMANSHIP SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE TO NOTIFY THE PROJECT ENGINEER OF ANY DISCREPANCIES PRIOR TO THE START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO NOTIFY THE PROJECT ENGINEER SHALL BE AT THE CONTRACTOR'S RISK. THE CONTRACTOR SHALL BE RESPONSIBLE TO COMPLETE THE SCOPE OF WORK AS DEFINED BY THE DRAWINGS AND IN FULL CONFORMANCE WITH LOCAL REGULATIONS AND CODES.

LEGEND
 TRUCK BODY
 TRUCK OVERHANG
 POTENTIAL IMPACT LOCATION

DATE	3/17/21
DRAWN BY	BN
CHECKED BY	BN
SCALE	1" = 10'
PROJECT NO.	
SHEET	1

ARTEL ENGINEERING GROUP, LLC
 304 FEDERAL ROAD - SUITE 304
 BROOKFIELD, CONNECTICUT 06804
 WWW.ARTELENGINEERING.COM
 PHONE: (203) 740-2033 FAX: (203) 740-2047

• CIVIL ENGINEERS PROJECT MANAGERS •
 • ENVIRONMENTAL ENGINEERS SITE PLANNERS •
 • MUNICIPAL ENGINEERS PERMIT EXPEDITORS •

HOLLEY STREET NORTH ENTRANCE

TRUCK TURNING SKETCH

HOLLEY STREET AND MILLERTON ROAD
 LAKEVILLE, CONNECTICUT